



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

AUG 04 2004

Michael N. Milby, Clerk of Court

PERRY ALLEN AUSTIN, *ex parte*,  
PETITIONER,

v

DOUG DRETKE, DIRECTOR,  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION,  
RESPONDENT

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CIVIL ACTION NO. H-04-2387

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**ORDER FOLLOWING TELEPHONE SCHEDULING CONFERENCE**

**HELD ON August 2, 2004 at 3:15 p.m.**

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**Appearance for Petitioner**

Richelieu (Dick) Wheelan

**Appearance for Respondent**

Margaret Schmucker

The following rulings were made:

The petitioner shall file a response to the respondent's motion to dismiss (6 and 7) on or before September 7, 2004.

It is so ORDERED.

Signed this 2nd day of August , 2004.

KENNETH M. HOYT  
United States District Judge

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